

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X Case No. 09-13258
In re:

DIMITRI NURSERIES, INC.

AFFIDAVIT
Debtor.

-----X

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

Dimitri Gatanas being duly sworn, deposes and says:

I am one of the responsible parties designated by the Court in this proceeding. I have been the primary operating member of the debtor and the other entities involved in this proceeding.

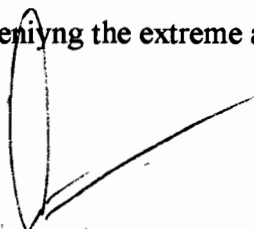
I am making this affidavit in support of the affirmation by my counsel Samuel Rosenberg and my former attorney Steven Rosenberg which are being submitted in objection to the Trustee's Contempt Motion.

I wish to affirm to this Court that I have made every effort humanly possible to comply with the multiple demands by the trustee for documents and information. I find it impossible to furnish the trustee with any additional schedules and information because I don't have any of the document which would enable me to prepare the schedules.

If there is any further information the trustee requires I will attempt to obtain such information upon receipt of her request.

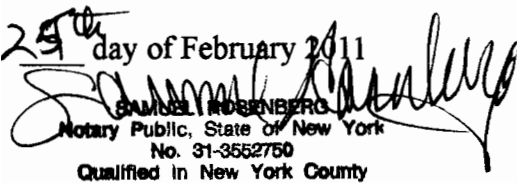
I trust that the Court will exercise its sound discretion in denying the extreme and severe punitive penalty which the trustee is demanding;

Dated: February 25, 2011
New York, NY



Dimitri Gatanas

Sworn to before me this

25th day of February 2011

SAMUEL ROSENBERG
Notary Public, State of New York
No. 31-3552750
Qualified in New York County
Term Expires January 31, 2014
2014